

REMARKS

The above-referenced patent application has been reviewed in light of the Office Action referenced above. Reconsideration of the above-referenced patent application in view of the following remarks is respectfully requested.

Claims 1-30 are pending in the application. Claims 1, 5-7, 9-11, 16-19, 21, 25, and 29 have been amended. Claims 4, 8, 12-15, 20, 23, 24, 27, and 28 have been cancelled. New claims 31-50 have been added based on cancelled claims 12, 20, 24, and 28. The amendment is fully supported by the original disclosure. No new matter has been introduced.

Assignee submits that cancellation of subject matter above is without prejudice as the same or similar subject matter is intended to be pursued in a Continuation Application based on the present application.

Allowable subject matter

The Assignee thanks the Examiner for the indication that claims 2-14, 16-22, 24-26, and 28-30 would be allowable if rewritten in independent form.

In response, Assignee has amended claims 16, 17, 18, 19, 21, 25, and 29 to be in independent form. Accordingly, Assignee submits that independent claims 16, 17, 18, 19, 21, 25, and 29 are in condition for allowance.

Dependent claims 1-3 are likewise in condition for allowance based on their dependence on independent claim 16.

Dependent claims 5-7 are likewise in condition for allowance based on their dependence on independent claim 18.

Dependent claims 9-11 are likewise in condition for allowance based on their dependence on independent claim 19.

Dependent claim 22 is likewise in condition for allowance based on its dependence on independent claim 21.

Dependent claim 26 is likewise in condition for allowance based on its dependence on independent claim 25.

Dependent claim 30 is likewise in condition for allowance based on its dependence on independent claim 29.

Additionally, Assignee has added new claims 31-50 based on cancelled claims 12, 20, 24, and 28. Cancelled claims 12, 20, 24, and 28 were indicated as allowable by the Examiner.

Accordingly these claims have been rewritten in independent format as new independent claims 31, 38, 45, and 48, respectively.

It is noted that claimed subject matter may be patentably distinguished from the cited references for additional reasons; however, the foregoing is believed to be sufficient. Likewise, it is noted that the Assignee's failure to comment directly upon any of the positions asserted by the Examiner in the office action does not indicate agreement or acquiescence with those asserted positions.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is invited to call the undersigned attorney, James J. Lynch, at (503) 439-6500 if there remains any issue with allowance.

Additional fees

Any fees or extensions of time believed to be due in connection with this amendment are enclosed herein; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-3703.

Respectfully submitted,
Berkeley Law & Technology Group, LLC

Dated: September 19, 2006

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